

**KANSAS STRATEGY FOR 2010-2014**

**For The**

**EDWARD BYRNE MEMORIAL JUSTICE  
ASSISTANCE GRANT (JAG) PROGRAM**



**Prepared By The**

**KANSAS CRIMINAL JUSTICE COORDINATING COUNCIL**

Approved November 2010

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## OVERVIEW

The Kansas Criminal Justice Coordinating Council (KCJCC) is responsible for overseeing the criminal justice federal funding made available to Kansas through the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance. The KCJCC is representative of the Governor, Chief Justice of the Supreme Court, Attorney General, Secretary of Corrections, Commissioner of the Juvenile Justice Authority, Superintendent of the Kansas Highway Patrol and Director of the Kansas Bureau of Investigation. The Governor's Grants Program provides the staffing to the KCJCC and the day-to-day management of the federal grants for the KCJCC.

The KCJCC is charged with developing the Kansas Strategy, prioritizing purpose areas for funding and determining grant awards. Through the dedicated and knowledgeable members of the KCJCC, strategies and approaches have been developed to prevent, as well as control violent and drug-related crimes. The Federal Edward Byrne Memorial Justice Assistance Grant (**JAG**) Program assists the State in implementing and enhancing its efforts in addressing these issues.

The delivery and quality of services regarding the state strategy is contingent on activities to ensure the strategy is incorporated and impacted throughout the state. These activities include continued planning with the KCJCC, the Kansas Task Force Addressing Methamphetamine and Illegal Drugs, the Kansas Criminal Justice Information System (KCJIS) committee, as well as other task forces and groups examining criminal justice issues. The Governor's Grants Program assists the KCJCC in developing, updating and implementing the **JAG** strategy through surveys and needs assessment; coordination with stakeholders including federal, state and local organizations; training efforts; publication of materials; and development of protocols.

The Kansas Sex Offender Policy Board was created to consult and advise the KCJCC on issues and policies relating to the treatment, sentencing, rehabilitation, reintegration and supervision of sex offenders. The Board presented a report to the KCJCC, Governor, Attorney General, Chief Justice of the Supreme Court and the 2007 Legislature on public notification pertaining to sex offenders, restrictions on the residence of released sex offenders, utilization of electronic monitoring and the management of juvenile sex offenders. In addition, the Sex Offender Policy Board developed and submitted a report on the treatment and supervision standards for sex offenders, suitability of lifetime release supervision and safety education and prevention strategies for the public to the KCJCC, Governor, Attorney General, Chief Justice of the Supreme Court and 2008 Legislature.

The Governor and the 2008 Legislature established the Kansas Substance Abuse Policy Board under the supervision of the KCJCC to consult and advise the KCJCC on issues and policies pertaining to the treatment, sentencing rehabilitation and supervision of substance abuse offenders. The Substance Abuse Policy Board submitted its report to the 2009 Kansas Legislature, which took action on creating the DUI Commission based on the recommendations of the report.

In an effort to address the methamphetamine problem in the state and decrease the number of meth laboratories, the KCJCC formed the Kansas Task Force Addressing Methamphetamine and Illegal Drugs to develop new ideas and strategies regarding education and training, summits addressing meth problems, treatment, drug interdiction and legislation to concentrate on the methamphetamine and illegal drug problems in Kansas. One of the first initiatives of the task force was the passage of the Sheriff Matt Samuels Chemical Control Act in 2005. The task force also hosted numerous meth summits throughout the state. In 2010, the task force supported the development of an application and received funding for a statewide coordinator from the Federal Rural Law Enforcement Methamphetamine Initiative.

The KCJIS committee is responsible for maintaining and implementing necessary upgrades to the state's criminal justice information system to assist law enforcement, prosecutors, courts and corrections organizations. KCJIS is a statewide function for criminal justice entities, however the KBI (Kansas Bureau of Investigation) provides the management of the system.

The KCJCC works closely with these groups to enhance the criminal justice system, improve public safety and support crime victims services and drug and violent crime prevention programs throughout Kansas.

## **DATA AND ANALYSIS**

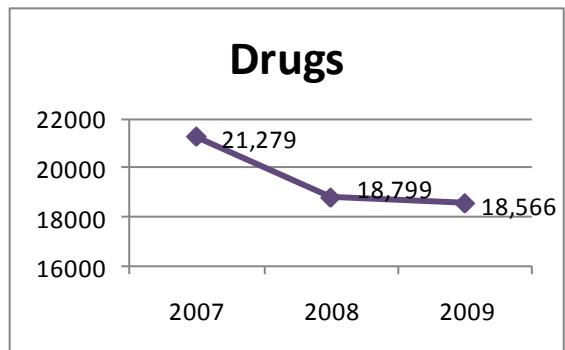
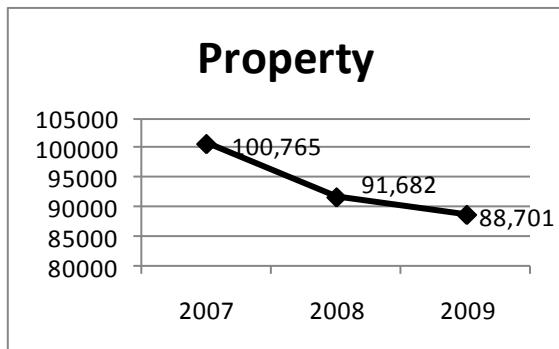
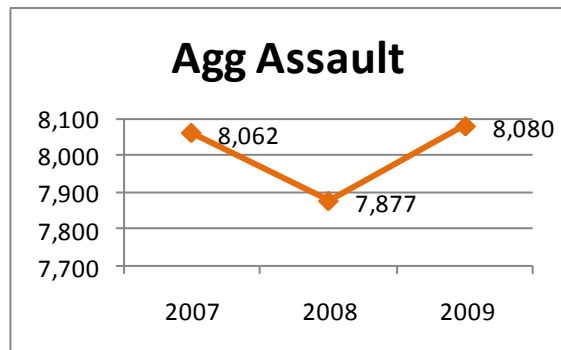
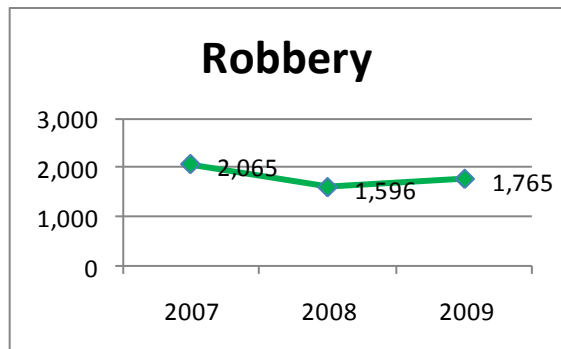
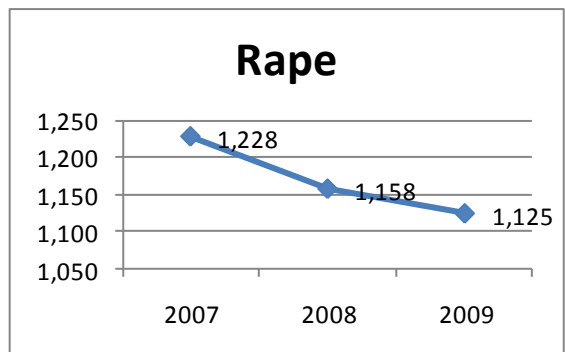
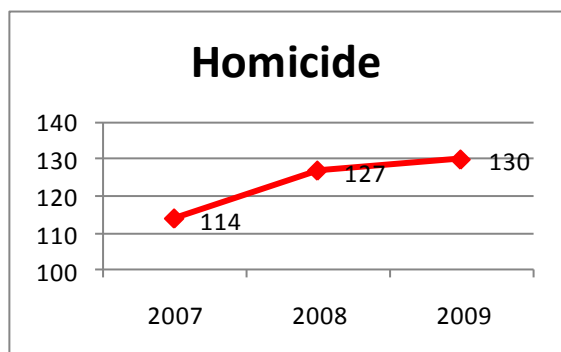
Violent crime trends in Kansas support the continued need for criminal justice programs enhancing criminal justice information systems, investigations, prosecutions and corrections efforts. The state has seen an increase in the number of reported homicides from 114 in 2007 to 130 in 2009. However, other major crimes have shifted with the number of reported rapes declining 1,228 in 2007 to 1,125 in 2009. Robberies decreased from 2,065 in 2007 to 1,765 in 2009. Aggravated assaults showed a slight increase from 8,062 in 2007 to 8,080 in 2009. Charts showing the crime trends are in appendix A for 2007-2009. In addition, 16,435 juvenile offenders were arrested. And, law enforcement agencies responded to 23,864 domestic violence related calls in 2009.

Data related to illegal drug production, availability and abuse consistently shows Kansas has a serious problem. Interstates 70, 135, and 35 run through many of Kansas' major cities and foster illicit drug transportation and distribution. In addition, these interstate highways are three of the most active overland routes for drug transportation in the United States. The number of reported drug offenses has declined from 21,279 in 2007 to 18,566 in 2009.

While state criminal justice agencies have been able to stem the tide with regard to many illegal drugs, statewide data shows methamphetamine continues to be the most prolific drug problem in Kansas. The need for criminal justice programs focusing on methamphetamine enforcement, treatment and prevention is critical in order to prevent further escalation of the problem. While the reported data shows a decline in major crime categories except for homicide, there is a critical issue of not all reports being filed by law enforcement agencies. Without all law

enforcement agencies reporting crime data, the state cannot address the crime issues it faces as effectively as it could with complete and accurate data. Timely, complete and accurate data is key to making better and more accurate decisions regarding the criminal justice system and its response to crime. In addition, the computerized systems linking law enforcement, prosecutors, courts and adult and juvenile corrections must be modernized and improved to ensure quality, accuracy and timeliness of criminal justice records.

## Crime Index/Drug Offenses: Statewide 2007-2009



## Drug Sources and Availability

Data concerning the prevalence and availability of illegal drugs is crucial to understanding the problems the criminal justice system faces. Statistical indicators show the production, distribution and abuse of illicit drugs pose a serious threat in Kansas. Dodge City, Garden City, Liberal, Kansas City, Topeka and Wichita are drug distribution centers in the state and transit areas for drugs transported to other states. Kansas' highways facilitate illicit drug transportation and distribution. Interstates 70, 135, and 35 are three of the most active overland routes for drug transportation in the United States. The number of air passengers and cargo passing through Kansas provides drug traffickers with an additional means of transporting illicit drugs. Two major airports serve Kansas, the Kansas City International Airport in Kansas City, Missouri and the Wichita Mid-Continent Airport. In addition, more than 140 local airports and landing strips in Kansas provide drug traffickers the opportunity to transport drugs via private aircraft. Kansas also has more than 5,500 miles of operational railroad which drug traffickers also use to transport drugs into and through the state.

## Crime Victimization

The impact of crime victimization is widespread, affecting Kansans in all walks of life, in both rural and urban areas. In 2002, the Docking Institute of Public Affairs at Fort Hays State University conducted a phone survey of 1,250 adults living in Kansas. The purpose of the survey was to identify crime victims' needs and assess the prevalence of crime victimization in Kansas. The survey results showed nearly half (47.9 percent) of the respondents' households had experienced crime victimization. Nearly a fourth (23.5 percent) indicated they or a member of their household had been the victim of a personal crime (robbery, stalking, child abuse, battery, DUI, rape or homicide) in Kansas within the last 10 years.

Kansas needs a seamless continuum of responses, services and support for all crime victims. This can only be realized through a collective and coordinated effort among providers responding to crime to ensure a continuity of advocacy services for crime victims. Appropriate services need to be provided to all crime victims regardless of the victim's socioeconomic status, age, native language, disability or urban or rural residence.

These services should be consistent among crime victims and across all communities. To do this, Kansas needs greater levels of coordination among current providers and a seamless continuum of services and support. Services should focus on victims' safety, access to the criminal justice system, support and representation both in urban and rural settings.

## Violent Crime Trends

### MURDER

	Number Reported	Adults Arrested	Juveniles Arrested
<b>2007</b>	114	63	10
<b>2008</b>	127	65	5
<b>2009</b>	130	69	17

Source: KBI Crime Statistics (Please note that these numbers differ slightly from those reported for the State of Kansas by the FBI. This is due to the fact that at the time data was provided to the FBI, some agencies had not reported, reported partial data or reported summary data.)

### RAPE

	Number Reported	Adults Arrested	Juveniles Arrested
<b>2007</b>	1,228	211	53
<b>2008</b>	1,158	203	47
<b>2009</b>	1,125	200	42

Source: KBI Crime Statistics (Please note that these numbers differ slightly from those reported for the State of Kansas by the FBI. This is due to the fact that at the time data was provided to the FBI, some agencies had not reported, reported partial data or reported summary data.)

### ROBBERY

	Number Reported	Adults Arrested	Juveniles Arrested
<b>2007</b>	2,065	341	83
<b>2008</b>	1,596	341	75
<b>2009</b>	1,765	423	94

Source: (Please note that these numbers differ slightly from those reported for the State of Kansas by the FBI. This is due to the fact that at the time data was provided to the FBI, some agencies had not reported, reported partial data or reported summary data.)

### AGGRAVATED ASSAULT/BATTERY

	Number Reported	Adults Arrested	Juveniles Arrested
<b>2007</b>	8,062	2,264	370
<b>2008</b>	7,877	2,158	325
<b>2009</b>	8,080	2,321	325

Source: KBI Crime Statistics (Please note that these numbers differ slightly from those reported for the State of Kansas by the FBI. This is due to the fact that at the time data was provided to the FBI, some agencies had not reported, reported partial data or reported summary data.)

### DUI

	Adults Arrested	Juveniles Arrested
<b>2007</b>	15,708	336
<b>2008</b>	15,810	296
<b>2009</b>	17,110	248

Source: KBI Crime Statistics (Please note that these numbers differ slightly from those reported for the State of Kansas by the FBI. This is due to the fact that at the time data was provided to the FBI, some agencies had not reported, reported partial data or reported summary data.)

### DRUGS

	Number Reported	Adults Arrested	Juveniles Arrested
<b>2007</b>	21,279	9,149	1,542
<b>2008</b>	18,799	7,849	1,383
<b>2009</b>	18,566	8,801	1,330

Source: KBI Crime Statistics (Please note that these numbers differ slightly from those reported for the State of Kansas by the FBI. This is due to the fact that at the time data was provided to the FBI, some agencies had not reported, reported partial data or reported summary data.)

### DOMESTIC VIOLENCE

	Number of Incidents	Number of Adult Homicides
<b>2007</b>	22,429	17
<b>2008</b>	21,500	19
<b>2009</b>	23,864	35

Source: KBI Report on Domestic Violence and Rape Statistics in Kansas As Reported By Law Enforcement Agencies.

### PROTECTION FROM ABUSE (PFA) AND PROTECTION FROM STALKING (PFS)

	NUMBER OF PFA FILINGS	NUMBER OF PFS FILINGS	STALKING VIOLATIONS
<b>2007</b>	7,903	4,159	200
<b>2008</b>	7,963	4,508	480
<b>2009</b>	8,391	4,756	820*

Source: KBI Report on Domestic Violence and Rape Statistics in Kansas As Reported By Law Enforcement Agencies. \*Increase is largely due to new statutory definition of stalking.

## RESOURCE NEEDS

Kansas is faced with financial restraints, which ultimately impacts state and local units of government. The State, as well as local communities, must maximize every dollar to combat violent and drug-related crimes. The **JAG** Program will provide the only dedicated source of funding to assist state and local units of government, nonprofit, faith-based and community organizations in addressing these issues. Criminal issues will escalate without this federal funding. In prior years, the Edward Byrne Memorial State and Local Law Enforcement Grant Program helped Kansas improve its enforcement efforts in the areas of drug interdiction, adjudication and crime prevention. In addition, grant funds were used to develop a criminal justice information system.

Law enforcement officers, prosecutors and the courts address violent and drug-related crimes daily. Grant funds are and will be used to equip law enforcement officers with the necessary tools to keep communities safe. Equipment is essential for officers in addressing crime and **JAG** funds assist officers with current and reliable resources to help them perform their jobs.

Prosecutors and courts need assistance in having specialized staff to ensure that those who commit crimes are held accountable. The **JAG** Program provides county and district attorneys offices with the funds to hire those who emphasize and concentrate on a particular area of crime. This funding source also will allow prosecutors and courts to hire crime victim advocates to assist those who have been victimized.



Very limited funds are available to assist communities with prevention efforts. Numerous law enforcement agencies have developed prevention programs around neighborhood watch, D.A.R.E., and school resource officers. Also, a number of agencies have worked with private partners in developing training for businesses and communities regarding meth and illegal drugs. Additional resources are needed to build on the existing efforts of state and local communities. **JAG** funds will help alleviate the barriers that prevent these types of programs from operating.

Funding for alternatives to incarceration is a critical resource need, as well as having adequate funds to treat offenders while incarcerated or in their communities. The Kansas Sentencing Commission, as one of its statutory duties, projects the growth of the inmate population, determining when it will exceed capacity and making recommendations to adjust or reduce prison admissions. As Kansas' prisons were reaching capacity, the 2003 Kansas Legislature enacted Senate Bill 123, which provides treatment for certain non-violent drug offenders. The goal of the bill is to provide community punishment and treatment to non-violent offenders with drug abuse problems in order to address more effectively the revolving door of drug addicts through state prisons, which should be reserved for serious, violent offenders. Treatment may include community-based or faith-based programs and such treatment must include a continuum of treatment options, including detoxification, rehabilitation, continuing care and aftercare and relapse prevention.

*(Source: Patricia Biggs, Executive Director, Kansas Sentencing Commission, Senate Bill 123 Training, Power Point presentation).*

While more than \$6.3 million dollars of state funding was allocated to pay for this program, there is still a critical lack of resources to treat adult and juvenile offenders with drug problems. The **JAG** Program will help fill the gap in meeting the needs of offenders receiving treatment in their communities and while they are incarcerated.

Grant funds also could assist with specialized monitoring of offenders once they are released from jail and/or prison. These grant funds could help in the efforts to hire probation and parole officers to assist in the oversight of offenders in Kansas communities.

A continued and critical need is to have adequate resources for the Kansas Criminal Justice Information System (KCJIS). Byrne/JAG grant funds have been the primary source for the development and maintenance of the system. Most of the infrastructure is operational, however there are still parts of the system that need to be finalized and updated. There are more than 10,000 users of the system today and maintaining the integrity of the system is important. This cannot be achieved without the use of grant funds. **JAG** funds will ensure that this system is enhanced and maintained to give federal, state and local law enforcement and correctional officials, as well as the general public the information they need to confront crime.

The KCJIS was initiated in the mid 1990's as a result of the establishment of Kansas Sentencing Guidelines and the resulting need for timely and accurate criminal history information. Since the inception, KCJIS has grown beyond this initial objective to one of the leading "integrated" criminal justice information systems in the United States. KCJIS provides the daily operating information used by criminal justice agencies in Kansas and elsewhere.

There are many separate information systems and a variety of users that collectively comprise KCJIS. Some information systems are fully integrated into KCJIS and others have yet to be integrated. The list of users, or “customers,” is extensive. All users and agencies are critical to the success of KCJIS as they provide information to and use information from the system.

As funds become available, additional categories of information are added to KCJIS for access by more than 10,000 authorized users. Each user has an individual security device while KCJIS has multiple levels of security, which are transparent to users of the system. As a result of its highly sophisticated security, in 1998 KCJIS became the first statewide criminal justice system authorized to access secure FBI information over the Internet. As a result, KCJIS is capable of providing information to users anywhere in Kansas regardless of the size of the community or agency. Even the smallest agency and community benefit from secure access to KCJIS information.

Effective operation of KCJIS depends upon the ready collection and access to current, complete and accurate information in the system by all authorized parties. An updated KCJIS plan is necessary to provide the guidance and framework from which the activities of multiple agencies will be coordinated and major initiatives funded.

**JAG** funds are necessary to supplement the state and local efforts to combat drug-related and violent crime, as well as enhance the criminal justice information system. It is essential to continue the efforts in Kansas as we continue to have a positive effect on addressing these important crime issues.

## **PRIORITIES FOR THE FEDERAL JAG PROGRAM**

The Kansas Criminal Justice Coordinating Council is committed to the support of strong functioning information systems that provide timely, accurate, complete, functional criminal history and criminal justice records available to all criminal justice agencies. To do this effectively and efficiently, automated systems within the State must be integrated, through upgrades, maintenance and data sharing. In addition, the Kansas Criminal Justice Information System (KCJIS) must have a permanent home.

Currently the Kansas Bureau of Investigation houses criminal history records and receives all records from law enforcement agencies and dispositions from district and municipal courts and is responsible for the maintenance and support of KCJIS. However, there is no separate budget for KCJIS, either for the KBI or other state agencies that have criminal history data. There must be oversight by KCJCC for KCJIS and a position that has the technical knowledge to provide leadership in the need to keep KCJIS current and upgraded for future technology changes.

**Goal:**

To improve and enhance Public Safety by collecting, disseminating and integrating the state's criminal justice information system. It is critical that the process address the accurate and timely reporting of records.

**Strategies:**

- Improve the quality, accuracy and timeliness of criminal justice records
- Support upgrades and maintenance of KCJIS
  - In the past, the State failed to systematically invest in KCJIS, therefore state funding is not reliable.
  - Currently, components of KCJIS are in various stages of development with no reliable funding.
  - There has been progress in the development of KCJIS. At one time, the KCIS partners went in their own direction; now the partners are pulling together. Even with this cooperation, without adequate funding of the critical needs for the system, KCJIS is highly vulnerable.
  - The component systems are outdated. If a component goes down, data is not available, which places the state at risk.
  - The KDOC system does not have a back up or hot site and is very vulnerable.
  - Full Court is a case management system used in 104 counties, with each county's records stored in that county's data base; there is currently no statewide data base of court records. (If funded, it would take three to four years to implement a centralized data system).
- Require law enforcement agencies to submit data and enforce this requirement by not allowing a non-reporting agency to apply for funding. All agencies within the county would be required to comply with the reporting requirement.
- Utilize research and data, including data shared by law enforcement agencies, KCJCC members and KCJIS partners, to evaluate the structure and governance of KCJIS and KCJIS funding. KCJCC is the authority to decide the direction of KCJIS, with input from the KCJIS committee.
- Utilize data-driven evidence (based on a collaborative process) in setting priorities and making funding decisions.
- Reflect on how locals get return on the data, i.e., what is the benefit of data driven results?
- Base funding decisions on data that shows efforts in certain areas. For example, decrease in violence; collaboration to address crime; establishes a need for special units; or task forces to investigate, prosecute, sentence and treat offenders; or provide victim assistance.
- JAG administrative funds should be used to fund a new position that can research the data, analyze the data and determine that projects are meeting the results expected with grant funds.

The **JAG** Program is one of the major sources of funding to assist state and local units of government and community based programs in addressing drug interdiction, drug treatment services, prevention programs and information technology improvements. Without the federal funding, the criminal challenges would escalate.

As evident by the crime data, continued **JAG** funding will assist agencies not only in crime prevention initiatives but also in providing crime victims assistance services in the investigation and prosecution of their cases. With continued budget cuts at the local and state level, **JAG** funding provides additional resources to enhance the criminal justice system, improve public safety and support crime victims' services and drug and violent prevention programs throughout Kansas.

After careful review of the data and input from key stakeholders, the KCJCC determined the most effective and efficient usage of the limited resources dedicated toward reducing drugs and violent crime in Kansas with the use of the Federal **JAG** Program.

The KCJCC priorities for the 2010-2014 Kansas **JAG** Strategy are:

- Planning, evaluation and technology improvement programs
  - Improve the quality, accuracy and timeliness of criminal justice records.
  - Set aside funding to enhance existing systems each year;
  - Create a permanent “home” for KCJIS with adequate funding and staffing;
  - Require law enforcement agencies to submit accurate and timely data or otherwise be ineligible for JAG funding---this would apply for the county and any city or cities within the county required to submit data;
- Law Enforcement programs
- Prosecution and court programs
- Prevention and education programs
- Corrections and community corrections
- Drug treatment programs
- Crime victim and witness programs

In order for the KCJCC to have the ability to make better decisions in funding programs and projects to enhance public safety, applicants will be required to show collaborative efforts were made in submitting their JAG applications. These efforts should reflect shared goals, action plans, outcomes, and specific contributions and commitment of partners that include sound data, evidence based services, evaluation that shows progress and results on the project.

## **COORDINATION EFFORTS**

In implementing the **JAG** Program, Kansas recognizes state agencies, local governments, tribal governments and non-profit, faith-based and community organizations must collaborate and cooperate in order to impact drug and violent crime. In order to develop a state strategy and identify priorities for funding, the KCJCC reviewed a variety of current and pertinent data.

KCJCC members work closely with other federal agencies and initiatives to combat violent crime and drug-interdiction efforts. They are affiliated with the U.S. Attorney's Office, Federal Bureau of Investigation, American Correctional Association, Federal Drug Enforcement Agency and the U.S. Department of Homeland Security on a regular basis.

### **Kansas Criminal Justice Information System Committee**

The Kansas Legislature created the Kansas Criminal Justice Information System Committee in 2003, formerly known as the Law Enforcement Telecommunications Committee. The committee's primary duties are to establish, maintain and upgrade the criminal justice information system. Information developed by the committee is presented to the KCJCC for recommendation and action. The system's core components were completed in 2003. However, the function of the system is determined by the ability of numerous agencies providing data and for many of those agencies their systems are outdated and need enhancement.

### **Midwest High Intensity Drug Trafficking Area**

A collaborative effort continues among various federal and state agencies regarding illegal drugs. Coordination between Kansas and surrounding states can be seen in the Midwest High Intensity Drug Trafficking Area (HIDTA) efforts. Midwest HIDTA includes Iowa, Kansas, Missouri, Nebraska, South Dakota and North Dakota. The Office of National Drug Control Policy formed HIDTA in 1996 to combat the phenomenal increase in the importation, distribution and clandestine manufacturing of drugs with primary emphasis on methamphetamines. The Midwest HIDTA coordinates methamphetamine intelligence, investigations, forensic laboratory resources, prosecution and demand reduction efforts.

### **Governor's Council on Homeland Security**

Former Kansas Governor Kathleen Sebelius established the Kansas Homeland Security Council to coordinate efforts regarding terrorism. This Council was comprised of various state agencies directly involved in security and terrorism issues. KCJCC and staff worked closely with these agencies and the Kansas Homeland Security Council regarding federal grants to avoid duplication of effort.

### **Other Federal Grant Coordination**

The KCJCC also is responsible for overseeing other criminal justice federal funding made available to Kansas through the U.S. Department of Justice: National Criminal History Information Program; Paul Coverdell National Forensic Sciences Improvement Act; Residential Substance Abuse Treatment Program; and the Bulletproof Vest Partnership Program.

In addition to staffing the KCJCC, implementing the **JAG** Strategy and conducting the day-to-day management of the various federal grants, staff also oversees other federal grant programs, including but not limited to the U.S. Department of Justice's Victims of Crime Act Victim Assistance Program and S.T.O.P. Violence Against Women grant. Additionally, the program administers the Federal Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program grant award from the U. S. Department of Justice, Office on Violence Against Women. This grant project has specific emphasis on uniform, statewide domestic violence training and development of model domestic violence policies and protocols for all criminal justice professionals. A federal grant award for Federal Safe Havens: Supervised Visitation and Safe Exchange Grant Program was recently received. The purpose of the grant award is to establish a comprehensive system for providing safe and secure visitation and exchange services for children and their families. Therefore, the staff for the KCJCC can provide a coordination of services and eliminate duplication of efforts.